

Jesse Wolcott

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1 IN THE UNITED STATES DISTRICT COURT  
 2 FOR THE DISTRICT OF MARYLAND  
 3 WILLIAM LOCKWOOD :  
 4 Plaintiff :  
 5 vs. : Civil Action  
 6 PACIFIC USA, LTD., : No. WMN-02-CV-2068  
 7 et al. :  
 8 Defendants : Pages 1-97  
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 11  
 12

13 Deposition of JESSE WOLCOTT  
 14 Bel Air, Maryland  
 15 Tuesday, December 17, 2002  
 16  
 17

18 Reported by: Kathleen P. Thompson, Notary Public  
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 4  
 5 December 17, 2002  
 6 3:09 p.m.  
 7  
 8

9 Deposition of JESSE WOLCOTT held at the offices  
 10 of:  
 11  
 12

13 Gessner, Snee, Mahoney & Lutche, P.A.  
 14 11 South Main Street  
 15 Bel Air, MD 21014  
 16  
 17

18 Pursuant to notice, before Kathleen P. Thompson,  
 19 a Notary Public of the State of Maryland.  
 20  
 21

Page 3

1 APPEARANCES:

2  
 3 Salsbury, Clements, Bekman, Marder & Adkins,  
 4 L.L.C.

5 For the Plaintiff William Lockwood  
 6 300 West Pratt Street  
 7 Suite 450  
 8 Baltimore, MD 21201  
 9 (410) 539-6633

10 BY: Michael P. Smith, Esq.  
 11  
 12

13 Venable, Baetjer & Howard, L.L.P.  
 14 For the Defendant Pacific USA, Ltd.  
 15 Two Hopkins Plaza  
 16 Suite 1800  
 17 Baltimore, MD 21201  
 18 (410) 244-7614  
 19 BY: Michele R. Kendus, Esq.  
 20  
 21

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1  
 2 Moore & Jackson, L.L.C.  
 3 For the Defendant Toys-R-Us  
 4 305 Washington Avenue  
 5 Suite 401  
 6 Towson, MD 21204  
 7 (410) 583-5241  
 8 BY: Joel D. Newport, Esq.  
 9  
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**PLAINTIFF'S  
 EXHIBIT**

tabbles

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1 represent Toys-R-Us.

2 Q. (By Ms. Kendus) Jesse, have you ever  
3 given deposition --

4 A. No.

5 Q. -- testimony or testimony in court or  
6 anything like that before?

7 A. No.

8 Q. I'm going to go over some of the ground  
9 rules to help you get comfortable with this.10 You can see that the court reporter is  
11 typing down everything that is said.

12 A. Okay.

13 Q. Because of that, it's very important  
14 that you keep your voice up, we also have some  
15 traffic noise behind us, keep your voice up so  
16 that she can hear you. When you answer my  
17 questions yes or no answer with a verbal yes or  
18 no.

19 A. Okay.

20 Q. She can't type head nods and it's  
21 difficult to decipher uh-huh and uh-uh.

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1 Thereupon,

2 JESSE WOLCOTT,

3 the Witness, called for examination by counsel  
4 for the Defendant, and, after having been sworn  
5 by the notary, was examined and testified as  
6 follows:

7 EXAMINATION BY COUNSEL FOR THE DEFENDANT

8 BY MS. KENDUS:

9 Q. Good afternoon, Jesse. We have met  
10 before, but, for the record, my name is Michele  
11 Kendus, we've met over the telephone, I should  
12 say, not in person. And I represent Pacific  
13 Cycle, the Defendant, in a matter that's been  
14 brought to suit by William Lockwood. Okay?  
15 The other folks here around the table  
16 -- actually, would you like introductions before  
17 we get started?

18 THE WITNESS: That would be fine.

19 MR. SMITH: I'm Michael Smith, I  
20 represent Bill Lockwood.

21 MR. NEWPORT: I'm Joel Newport, I

1 A. Right.

2 Q. Okay?

3 A. Okay.

4 Q. If I ask you any question that you  
5 don't understand, let me know that you don't  
6 understand, I'll try to repeat it or rephrase it  
7 so that you understand it. Okay?

8 A. Okay.

9 Q. All right. So if you answer a question  
10 I've asked is it fair to assume you've  
11 understood it?

12 A. Yes.

13 Q. Okay. If you need a break at any time,  
14 let me know, for any reason, I don't think we're  
15 going to be too long today, but don't feel shy  
16 about that.

17 A. That's fine.

18 Q. Okay. Have you taken any medications  
19 or any other substances that might impair your  
20 ability to understand my questions?

21 A. None at all.

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1 he do?

2 MR. SMITH: Little stuff on what?  
3 Because when he gave his answer he said three  
4 different things.

5 MS. KENDUS: I understand.

6 Q. (By Ms. Kendus) Why don't you tell me  
7 the little stuff that he would do on, let's  
8 start with roller blading?

9 A. He would jump in the air, four, six  
10 inches off the ground. Ride off a curb. There  
11 was no grinding, there was no ramps. And we,  
12 and there was nothing more than that really.

13 Q. Okay. What do you mean by grinding?

14 A. That's when you go up on the rail with  
15 your blades and ride down the rail.

16 Q. Rail, you mean like a train rail?

17 A. Like a handrail.

18 Q. Oh, I see.

19 A. Yeah.

20 Q. Like on a stair or something?

21 A. Yeah.

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1 Q. Okay.

2 A. He didn't do that stuff.

3 Q. So you'd actually be up on the rail?

4 A. Yeah.

5 Q. You do that?

6 A. Yeah.

7 Q. Wow.

8 A. Not anymore, I'm too old now, but.

9 Q. How about skateboarding, what stuff  
10 would you do?

11 A. Ollies, which is off the ground a  
12 couple inches, riding off curbs, that's pretty  
13 much par for the course for all of them, riding  
14 off curbs and jumping in the air a little bit.  
15 That's pretty much it.

16 Q. What would you do on the skateboard?

17 A. Tricks, ramps. I went to numerous  
18 skate parks in my time. And I was good. But,  
19 like I said, he was always kind of scared so he  
20 never really did anything big.

21 Q. Were there skate parks in your

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1 neighborhood?

2 A. No. I went to skate parks in New  
3 Jersey, Pennsylvania, Ocean City, Florida, all  
4 kinds of places.

5 Q. Did he ever go with you?

6 A. Yes, but he would just kind of ride  
7 around in the skate park. He wouldn't attempt  
8 anything big. Like I said, riding up and down  
9 the ramps, that's pretty much it.

10 Q. Did he stop to watch you a lot?

11 A. We'd pretty much do our own thing.

12 Q. Okay. How about with the bikes, what  
13 did you see Bill do with the bikes as far as  
14 tricks?

15 A. Bill didn't really use his bike. I  
16 explained on the phone to you, I know, he had a  
17 mountain bike and you can't really do anything  
18 with it because it's so heavy. And he had a  
19 mountain bike with front shocks which makes it  
20 even worse because those things weigh a ton. So  
21 the most he could do was do a little bunny hop

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1 or do a wheelie or ride off of a curb. And not  
2 even a big wheelie because you can't get the  
3 bike up, it's too big.

4 Now, I had the trick bike and I was  
5 doing all the crazy stuff while he was riding  
6 along.

7 Q. Did you only know Bill to ever have one  
8 bike?

9 A. As far as I can remember he had the  
10 Pacific, which is only two years, but, I'm  
11 almost positive he had the Pacific the whole  
12 time.

13 Q. You don't remember any bikes prior to  
14 the Pacific?

15 A. No.

16 Q. Okay. What kind of tricks would you do  
17 on your bike?

18 A. Grinding, ramps, rails.

19 Q. You rode on the rails?

20 A. Yeah.

21 Q. Wow.